

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHARLES BREWER, *et al.*,

Plaintiffs,

v.

GENERAL NUTRITION CORPORATION,

Defendant.

Case No.: 11-CV-3587 YGR

ORDER RE: HEARING ON SUMMARY
JUDGMENT MOTIONS

The parties' cross-motions for partial summary judgment are currently set for hearing on Tuesday, August 11, 2015, at 2:00 p.m. The Court advises the parties to be prepared to discuss the following additional issues at the hearing:

1. assuming that shorter statutes of limitations apply to certain claims than are reflected in the current class periods, whether the Court should modify the class definition rather than grant summary judgment against a portion of the class (or subclass); and

2. whether the Court should modify the class certification order to fix an end date for the class and/or subclass periods, and related issues of ongoing notification of class members "to present" depending upon when that end date is fixed (*see, e.g., Cruz v. Dollar Tree Stores, Inc.*, No. 07-2050 SC, 2009 WL 1974404, at *1-2 (N.D. Cal. July 2, 2009).

Any party seeking to cite additional authorities on these issues shall bring to the hearing courtesy copies for the Court and opposing counsel.

IT IS SO ORDERED.

Date: August 5, 2015


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE